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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/45/759)]

45/130. Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights

The General Assembly,

Reaffirming its faith in the importance of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Reaffirming also the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the full enjoyment of all human rights,

Reaffirming further the obligation of all Member States to comply with the principles of the Charter of the United Nations and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and foreign domination,

Recalling its resolution 1514 (XV) and all relevant resolutions concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Welcoming Namibia's attainment of independence,

READEX FICHE

Bearing in mind the Declaration adopted by the World Conference on Sanctions against Racist South Africa, 1/

Recalling with satisfaction the adoption at Harare on 21 August 1989 of the Declaration of the Organization of African Unity Ad Hoc Committee on Southern Africa on the question of South Africa 2/ and its subsequent endorsement by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, 3/ as well as the report of the Monitoring Group of the Organization of African Unity Ad Hoc Committee on Southern Africa, 4/ and the Declaration on Apartheid and its Destructive Consequences in Southern Africa, 5/ adopted by the General Assembly on 14 December 1989,

Bearing in mind also the outcome of the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983, 6/

Taking note of resolution CM/Res.1272 (LII) on South Africa adopted by the Council of Ministers of the Organization of African Unity at its fifty-second ordinary session, held at Addis Ababa from 3 to 8 July 1990, 7/

Reaffirming that the system of apartheid imposed on the South African people constitutes a violation of the fundamental rights of that people, a crime against humanity and a constant threat to international peace and security,

Reaffirming also its resolution 39/2 of 28 September 1984, and recalling Security Council resolution 554 (1984) of 17 August 1984, in which the Council rejected the so-called "new constitution" as null and void, and Council resolution 569 (1985) of 26 July 1985,

Alarmed by the continuing acts of assassination and abductions of members and leaders of the national liberation movements in Africa and elsewhere by hit squads deployed and paid by the racist régime,

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1/ Report of the World Conference on Sanctions against Racist South Africa, Paris, 16-20 June 1986 (United Nations publication, Sales No. E.86.I.23), chap. IX.

2/ A/44/697, annex.

3/ See A/44/551-S/20870, annex.

4/ A/44/963, annex.

5/ Resolution S-16/1, annex.

6/ See A/38/311-S/15883, annex.

7/ See A/45/482, annex I.

Welcoming its resolution 44/244, adopted by consensus on 17 September 1990, in which, inter alia, it called upon the South African régime to abide fully by the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

Noting that, while some significant political measures in the right direction have been undertaken by the apartheid régime, such as the lifting of the ban on political organizations and the release of some political prisoners, apartheid is still firmly in place,

Welcoming also the ongoing talks between the African National Congress of South Africa and the South African régime aimed at establishing a political environment suitable for negotiations towards the dismantling of apartheid, and the results achieved thus far as contained in the Groote Schuur Minute 8/ and the Pretoria Minute,

Noting with concern that political trials and the detention of political activists continue unabated in South Africa and in total disregard of the agreements reached in talks between the régime and the African National Congress of South Africa,

Deeply concerned about the current wave of violence in South Africa resulting from the continued existence of apartheid policies, practices and structures as well as from actions of those forces opposed to the democratic transformation of the country,

Gravely concerned about the apartheid régime's continued use of the death penalty against South African patriots with contemptuous disregard for appeals for clemency from the international community, including the General Assembly,

Considering the concerted campaign by the President of the apartheid régime to project himself as a reformer in order to ward off the further imposition of sanctions by the international community,

Deeply concerned about the continued terrorist acts of aggression committed by the Pretoria régime against independent African States in the region, in particular the unprovoked attacks against Mozambique, Zambia and Zimbabwe,

Deeply indignant at the persistent policy of hostility by the racist régime of South Africa against Angola, which constitutes an act of aggression against the sovereignty and territorial integrity of that country,

Reaffirming the national unity and territorial integrity of the Comoros,

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8/ A/45/268, annex.

Recalling the Political Declaration adopted by the first Conference of Heads of State and Government of the Organization of African Unity and the League of Arab States, held at Cairo from 7 to 9 March 1977, 9/

Recalling also the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine, 10/

Considering that the denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine and the brutal suppression by the Israeli forces of the heroic uprising, the intifadah, of the Palestinian population in the occupied territories, as well as repeated Israeli aggression against the population of the region, constitute a serious threat to international peace and security,

Bearing in mind Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988 and 608 (1988) of 14 January 1988 and General Assembly resolutions 43/21 of 3 November 1988, 43/177 of 15 December 1988 and 44/2 of 6 October 1989, on the deterioration of the situation of the Palestinian people in the occupied territories,

Deeply concerned and alarmed at the deplorable consequences of Israel's acts of aggression against Lebanon and its practices in and its continuing occupation of parts of southern Lebanon, as well as its refusal to implement the relevant resolutions of the Security Council, in particular resolution 425 (1978) of 19 March 1978,

1. Calls upon all States to implement fully and faithfully all the resolutions of the United Nations regarding the exercise of the right to self-determination and independence by peoples under colonial and foreign domination;

2. Reaffirms the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign occupation by all available means, including armed struggle;

3. Reaffirms also the inalienable right of the Palestinian people and all peoples under foreign occupation and colonial domination to self-determination, national independence, territorial integrity, national unity and sovereignty without foreign interference;

9/ See Official Records of the Security Council, Thirty-second Year, Supplement for January, February and March 1977, document S/12298.

10/ Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I.

4. Strongly condemns those Governments that do not recognize the right to self-determination and independence of all peoples still under colonial domination, alien subjugation and foreign occupation, notably the peoples of Africa and the Palestinian people;

5. Calls upon Israel to refrain from deporting any Palestinian civilians from the occupied Palestinian territories and to release immediately all Palestinian detainees;

6. Strongly condemns also the constant and deliberate violations of the fundamental rights of the Palestinian people, as well as the expansionist activities of Israel in the Middle East, which constitute an obstacle to the achievement of self-determination and independence by the Palestinian people and a threat to peace and stability in the region;

7. Urges all States, the specialized agencies and organizations of the United Nations system, as well as other international organizations, to extend their support to the Palestinian people through its sole and legitimate representative, the Palestine Liberation Organization, in its struggle to regain its right to self-determination and independence in accordance with the Charter of the United Nations;

8. Urgently appeals to all States, the United Nations system and other international organizations to assist in the reconstruction and economic development of Namibia;

9. Condemns the policy of "bantustanization", and reiterates its support for the oppressed people of South Africa in its just and legitimate struggle against the racist minority régime of Pretoria;

10. Reaffirms its rejection of the so-called "new constitution" as null and void, and reiterates that peace in South Africa can be guaranteed only by the establishment of majority rule through the full and free exercise of adult suffrage by all the people in a united and undivided South Africa;

11. Commends the mass democratic movement in South Africa for the tremendous advances scored during the recent campaign of defiance of unjust apartheid laws in the ongoing struggle against apartheid;

12. Welcomes the unconditional release of Nelson Mandela and other political prisoners, but condemns the continuing practice of detentions and imprisonment of political activists by the apartheid régime;

13. Strongly urges the apartheid régime to respond positively to the provisions of the Declaration of the Organization of African Unity Ad Hoc Committee on Southern Africa on the question of South Africa 2/ and the Declaration on Apartheid and its Destructive Consequences in Southern Africa 5/ by releasing unconditionally all political prisoners and by halting all political trials as a means of creating an environment conducive to the peaceful resolution of the South African situation;

14. Determines that the South African racist régime must take additional steps to implement the profound and irreversible changes called for in the Declaration on Apartheid;

15. Calls for an immediate end to violence, and calls upon the South African régime to take urgent action to end it, specifically by dismantling the apartheid structures and ensuring that effective and impartial action is taken by its security forces, and calls upon all parties concerned to contribute to the establishment of a climate free of violence;

16. Strongly condemns the establishment and use of armed terrorist groups by South Africa with a view to pitting them against the national liberation movements and destabilizing the legitimate Governments of southern Africa;

17. Calls once again for the full implementation of the provisions of the Declaration adopted by the World Conference on Sanctions against Racist South Africa; 1/

18. Again demands the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977) of 4 November 1977, by all countries and more particularly by those countries which maintain military and nuclear co-operation with the racist Pretoria régime and continue to supply it with related matériel;

19. Strongly condemns the policy of those Western States, Israel and other States whose political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime of South Africa encourage that régime to persist in its suppression of the aspirations of the people to self-determination and independence;

20. Denounces the collusion between Israel and South Africa, and expresses support for the Declaration of the International Conference on the Alliance between South Africa and Israel; 6/

21. Strongly condemns the persistent policy of hostility and aggression pursued by racist South Africa against the sovereignty and territorial integrity of Angola, which constitutes a violation of the New York accord of 22 December 1988; 11/

22. Demands that the Pretoria régime respect the sovereignty and territorial integrity of Angola and the principle of non-interference in the internal affairs of that State, and demands the immediate payment of compensation to Angola for damages caused, in accordance with the relevant decisions and resolutions of the Security Council;

11/ A/43/989-S/20346, annex.

23. Commends the Government of Angola for its political will, diplomatic flexibility and constructive spirit in the search for a negotiated solution to the problems of southern Africa;

24. Strongly reaffirms its solidarity with the independent African countries and national liberation movements that are victims of murderous acts of aggression and destabilization by the racist régime of Pretoria, and calls upon the international community to render increased assistance and support to these countries in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity and peacefully rebuild and develop;

25. Strongly condemns the racist régime of South Africa for its past acts of destabilization against Lesotho, and strongly urges the international community to continue to extend maximum assistance to Lesotho to enable it to fulfil its international humanitarian obligations towards refugees and to use its influence on the racist régime of South Africa so that it desists from such acts against Lesotho;

26. Demands that the racist régime of South Africa pay full and adequate compensation to Botswana for the loss of life and damage to property resulting from the unprovoked and unwarranted military attacks of 14 June 1985, 19 May 1986 and 20 June 1988 on the capital of Botswana;

27. Strongly condemns the escalation of massacres of defenceless people and the continuing destruction of economic and social infrastructures perpetrated against Mozambique by armed terrorists, who are an extension of the South African army of aggression;

28. Reaffirms all relevant resolutions adopted by the Organization of African Unity and the United Nations on the question of Western Sahara, including General Assembly resolution 44/88 of 11 December 1989, and calls upon the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to continue their efforts to find a just and lasting solution to the question;

29. Notes the contacts between the Government of the Comoros and the Government of France in the search for a just solution to the problem of the integration of the Comorian island of Mayotte into the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on the question;

30. Strongly condemns the continued violation of the human rights of the peoples still under colonial domination and alien subjugation;

31. Calls for a substantial increase in all forms of assistance given by all States, United Nations organs, the specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and apartheid through national liberation movements recognized by the Organization of African Unity;

32. Reaffirms that the practice of using mercenaries against sovereign States and national liberation movements constitutes a criminal act, and calls upon the

Governments of all countries to enact legislation declaring the recruitment, financing and training of mercenaries in their territories and the transit of mercenaries through their territories to be punishable offences and prohibiting their nationals from serving as mercenaries, and to report on such legislation to the Secretary-General;

33. Demands the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and compliance with article 5 of the Universal Declaration of Human Rights, 12/ under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

34. Expresses its appreciation for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, organizations of the United Nations system and other intergovernmental organizations, and calls for a substantial increase in that assistance;

35. Urges all States, the specialized agencies and other competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;

36. Requests the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle of oppressed peoples for the achievement of their self-determination and national independence and to report periodically to the General Assembly on his activities in this regard;

37. Decides to consider this item at its forty-sixth session on the basis of the reports on the strengthening of assistance to colonial territories and peoples that Governments, organizations of the United Nations system, other intergovernmental organizations and non-governmental organizations have been requested to submit.

68th plenary meeting
14 December 1990

12/ Resolution 217 A (III).